

# United States Court of Appeals For the First Circuit

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No. 11-1952

JAMES LOVGREN; NEW HAMPSHIRE COMMERCIAL FISHERMEN'S ASSOCIATION;  
PAUL THERIAULT; CHUCK WEIMER; DAVID ARIPOTCH; TEMPEST FISHERIES,  
LTD.; GRACE FISHING, INC.; RICHARD GRACHEK; ROANOKE FISH CO., INC.;  
AMERICAN ALLIANCE OF FISHERMEN AND THEIR COMMUNITIES; NEW BEDFORD  
FISH LUMPERS PENSION PLAN; ATLANTIC COAST SEAFOOD, INC.; LYDIA &  
MAYA, INC.; JOHN & NICHOLAS, INC.; BERGIE'S SEAFOOD, INC.; NORDIC, INC.;  
LYMAN FISHERIES, INC.; THE HOPE II, INC.; REIDAR'S MANUFACTURING, INC.;  
DIAMOND DOG FISHING CORP.; ATLANTIC ENTERPRISES, LLC; WANCHESE FISH  
COMPANY; EASTER JOY, INC.; LOCAL 1749 ILA, AFL-CIO, NEW BEDFORD FISH  
LUMPERS PENSION PLAN

Plaintiffs

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CITY OF NEW BEDFORD; CITY OF GLOUCESTER

Plaintiffs - Appellants

v.

THE HONORABLE GARY LOCKE, Secretary of Commerce; THE NATIONAL OCEANIC  
AND ATMOSPHERIC ADMINISTRATION, (NOAA); THE NATIONAL MARINE  
FISHERIES SERVICE, (NMFS); CONSERVATION LAW FOUNDATION, INC.; JANE  
LUBCHENCO, Administrator of the National Oceanic and Atmospheric Administration

Defendants - Appellees

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ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM, (ACCSP); ATLANTIC  
STATES MARINE FISHERIES COMMISSION, (ASMFC)

Defendants

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**MANDATE**

Entered: January 28, 2013

In accordance with the judgment of November 28, 2012, and pursuant to Federal Rule of Appellate Procedure 41(a), this constitutes the formal mandate of this Court.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Hope Madeline Babcock  
Thomas M. Bond  
Dina Michael Chaitowitz  
Kelly D. Davis  
Patrick Francis Flanigan  
Roger M. Fleming  
John Farrell Folan  
Anton P. Giedt  
Eldon Van Cleef Greenberg  
Daniel John Hammond  
James F. Kavanaugh Jr.  
Arthur Paul Kreiger  
Pamela F. Lafreniere  
Scott W. Lang  
Robert J. Lundman  
Gene S. Martin Jr.  
James A. Maysonett  
Mikaela Ann McDermott  
Bradley H. Oliphant  
Stephen Michael Ouellette  
Joan M. Pepin  
Julie K Peterson  
Peter Shelley  
John Mitchell Stevens  
Michael Thomas Sullivan  
Gigi D. Tierney